

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ANTHONY K. IT,

Plaintiff,

v.

Case No. 19-cv-0779-bhl

MILWAUKEE COUNTY,

Defendant.

DECISION AND ORDER

Plaintiff Anthony K. It, a prisoner who is representing himself, is proceeding on a claim under the Emergency Medical Treatment and Active Labor Act (EMTALA) based on events that occurred in February 2014. On January 4, 2021, It filed a motion to supplement his complaint. He seeks to add allegations about an event that happened in June 2020.

Under Rule 15(d) of the Federal Rules of Civil Procedure, “the court may, on just terms, permit a party to serve a supplemental pleading setting out any transaction, occurrence, or event that happened after the date of the pleading to be supplemented.” The Court of Appeals for the Seventh Circuit has explained that “there is no absolute right to expand the case in this way; the district court has substantial discretion either to permit or deny such a motion.” *Chicago Regional Council of Carpenters v. Village of Schaumburg*, 644 F.3d 353, 356 (7th Cir. 2011).

The event described in It’s proposed supplemental allegations bears little, if any, connection to the event at issue in his complaint. The new alleged event occurred more than six years later and involves different people and different circumstances. Given that this case has been pending for more than a year and a half and discovery is set to close in just a couple weeks,

allowing It to supplement his complaint in the way he proposes would be highly prejudicial to Defendant and would significantly delay the resolution of this case. Because no “just terms” exist for allowing the proposed supplementation, the Court will deny It’s motion.

IT IS THEREFORE ORDERED that It’s motion to supplement his complaint (Dkt. No. 45) is **DENIED**.

Dated at Milwaukee, Wisconsin this 15th day of January, 2021.

BY THE COURT:

s/ Brett H. Ludwig

BRETT H. LUDWIG

United States District Judge